

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NATHANIEL FERGUSON,)	CASE NO. 1:15-cv-2510
)	
PETITIONER,)	JUDGE SARA LIOI
)	
vs.)	MEMORANDUM OPINION
)	
CITY OF SOUTH EUCLID,)	
)	
RESPONDENT.)	

Before the Court is the report and recommendation of Magistrate Judge Kenneth McHargh, recommending that respondent City of South Euclid’s motion to dismiss pro se petitioner’s writ of habeas corpus pursuant to 28 U.S.C. § 2254 be granted because the relief sought by petitioner is moot. (Doc. No. 12 (Report and Recommendation [“R&R”]) at 56.¹)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

The R&R was issued on May 9, 2016. No objection to the R&R has been filed. The failure to file written objections to the report and recommendation of a magistrate judge constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728

¹ All references to page numbers are to the page identification numbers generated by the Court’s electronic docketing system.

F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed Magistrate Judge McHargh's report and recommendation and adopts the same. Accordingly, the respondent's motion to dismiss (Doc. No. 10) is GRANTED. This case is closed.

IT IS SO ORDERED.

Dated: June 30, 2016



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE